

HOUSE BILL 1109

M3

(0lr2862)

ENROLLED BILL

— *Environmental Matters/Education, Health, and Environmental Affairs and
Judicial Proceedings* —

Introduced by **Caroline County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Caroline County – Bay Restoration Fee – Lien Against Property**

3 FOR the purpose of establishing in Caroline County that an unpaid Bay Restoration
4 Fee is a lien against the property ~~on which~~ serviced by the wastewater facility,
5 onsite sewage disposal system, or holding tank ~~is located~~; requiring a notice of
6 lien to be recorded in the land records of Caroline County; and generally
7 relating to the Bay Restoration Fee.

8 BY repealing and reenacting, with amendments,
9 Article – Environment
10 Section 9–1605.2(d)
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Environment**

4 9–1605.2.

5 (d) (1) Subject to the approval of the Administration, a local government
6 or a billing authority for a water or wastewater facility may establish a program to
7 exempt from the requirements of this section a residential dwelling able to
8 demonstrate substantial financial hardship as a result of the restoration fee.

9 (2) (i) Except as provided in subparagraph (ii) of this paragraph,
10 the Bay Restoration Fee shall be collected by the local government or the billing
11 authority for the water or wastewater facility, as appropriate, on behalf of the State.

12 (ii) For a wastewater facility without a billing authority, the
13 Comptroller may collect the restoration fee from the facility owner.

14 (3) A local government, billing authority for a water or wastewater
15 facility, or any other authorized collecting agency:

16 (i) May use all of its existing procedures and authority for
17 collecting a water or sewer bill, an onsite sewage disposal system bill, or a holding
18 tank bill in order to enforce the collection of the Bay Restoration Fee; and

19 (ii) Shall establish a segregated account for the deposit of funds
20 collected under this section.

21 **(4) (I) IN CAROLINE COUNTY, AN UNPAID BAY RESTORATION**
22 **FEE SHALL BE A LIEN AGAINST THE PROPERTY ~~ON WHICH THE~~ SERVED BY A**
23 **WASTEWATER FACILITY, ONSITE SEWAGE DISPOSAL SYSTEM, OR HOLDING TANK**
24 **~~IS LOCATED.~~**

25 **(II) A NOTICE OF LIEN SHALL BE RECORDED IN THE LAND**
26 **RECORDS OF CAROLINE COUNTY.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2010.